

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ROBERT C. HOPES, JR.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 07-101-DRH
)	
UNITED STATES DEPARTMENT of)	
JUSTICE, <i>et al.</i>,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

HERNDON, District Judge:

Four motions were recently filed in this action. First is a motion for injunctive relief (Doc. 7), in which he seeks a court order directing the production of certain information from the personnel files of all individually named defendants. He also wishes to have access to his “central file” maintained by the Bureau of Prisons. This same relief is also requested in his motion to compel production of documents (Doc. 17). These motions are premature, *see* FED.R.CIV.P. 34, 37, and each is therefore **DENIED** without prejudice.

The remaining two motions seek leave to file an amended complaint (Doc. 15) and an extension of time to provide a copy of that amended complaint (Doc. 16).

Federal Rule of Civil Procedure 15(a) dictates that leave to amend a pleading “shall be given whenever justice so requires,” *see Sanders v. Venture Stores, Inc.*, 56 F.3d 771, 773 (7th Cir. 1995); and, indeed, the rule expressly grants a plaintiff one opportunity to amend her complaint as a matter of course before a responsive pleading is served.

Camp v. Gregory, 67 F.3d 1286, 1289 (7th Cir. 1995).

The original of a proposed amendment to a pleading or amended pleading itself should accompany the motion to amend so that it may be filed *instantly* if the motion is granted. All new material shall be

underlined. It is sufficient to simply underline the names of new parties the first place they appear in amended pleadings. Similarly, when new claims or defenses are raised by amendment, it is sufficient that the number of the designated count or paragraphs identifying the amendments be underlined.

Local Rule 15.1; *see* FED.R.CIV.P. 15.

As he recognizes, Plaintiff has not submitted a copy of his proposed amended complaint with his motion to amend; therefore, the motion to amend (Doc. 15) is **DENIED** without prejudice. It follows, therefore, that his motion for additional time is **MOOT**. Once Plaintiff has drafted his amended complaint, he need only submit it to the Court for filing; he need not file another motion for leave to file an amended complaint.

IT IS SO ORDERED.

DATED: March 5, 2007.

/s/ David RHerndon
DISTRICT JUDGE